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Attorney for Defendant
DUVAL GIBSON

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CASE NO. CR 14-0059 TEH
)	
Plaintiff,)	STIPULATION AND [PROPOSED] ORDER
)	VACATING FILING AND TRIAL DATES, AND
v.)	CONVERTING PRETRIAL HEARING TO
)	STAUS HEARING
DUVAL GIBSON,)	
)	
Defendant.)	

STIPULATION

The Court has set September 29, 2015 as the trial date and September 21, 2015 as the pretrial date with corresponding filing dates set pursuant to the Court's Pretrial Preparation Order, *dkt.* 65. For the reasons contained herein, the parties stipulate and agree to vacate the trial and filing dates as contained in the Pretrial Preparation Order and to convert the pretrial date of September 21, 2015 at 3:00 p.m. to a status hearing, as follows:

1. Counsel for Defendant had ankle surgery on August 27, 2015 and though this surgery date was known at the time the trial date was set, further medical complications ensued post-surgery and defense counsel is now be on an unanticipated medical leave. The date for defense counsel to return to a full working schedule is currently unknown. Defense counsel

STIPULATION AND [PROPOSED] ORDER VACATING FILING AND TRIAL DATES, AND CONVERTING
PRETRIAL HEARING TO STAUS HEARING

1 has been advised by her doctor, however, that she should not expect to be able to return to
2 the type of schedule and the accompanying duties required for trial work until November 1,
3 2015.

- 4 2. As a result of defense counsel's medical conditions, she is not able to prepare or file
5 motions in limine which are due on September 7, 2015 or to engage in other pretrial and
6 trial preparation at this time.
- 7 3. Undersigned counsel have conferred and government counsel has no objection to
8 defendant's request to vacate the pretrial filing deadlines and trial date. Counsel agree to
9 convert the pretrial hearing on September 21, 2015 to a status hearing where the parties can
10 appear before the Court to reschedule the pretrial and trial date.
- 11 4. Defendant, Duval Gibson, has been advised of this request and is in agreement with
12 vacating the filing and trial dates and converting the pretrial hearing to a status hearing
13 where a new trial date will be set.
- 14 5. Time has already been excluded by the Court through September 29, 2015, the date trial was
15 previously set to begin, and this exclusion continues to be warranted for continuity of
16 counsel for the reasons stated above.

17 SO STIPULATED:

18 MELINDA HAAG

19 United States Attorney

20 DATED: September 3, 2015

21 /s/ Alexandra Summer

ALEXANDRA P. SUMMER

22 Assistant United States Attorney

23 DATED: September 3, 2015

24 /s/Gail Shifman

GAIL SHIFMAN

25 Attorney for DUVAL GIBSON

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28 STIPULATION AND [PROPOSED] ORDER VACATING FILING AND TRIAL DATES, AND CONVERTING
PRETRIAL HEARING TO STATUS HEARING

~~[PROPOSED]~~ ORDER

This matter having come before the Court upon the Stipulation of the parties, for the reasons stated above, and for good cause shown,

The trial date of September 29, 2015 is vacated and the pretrial filing dates pursuant to Pretrial Preparation Order, *dkt.* 65 are vacated;

The Pretrial hearing on September 21, 2015 at 3:00 p.m. is converted to a Status hearing where a new pretrial and trial date will be set.

Time having already been excluded by the Court through September 29, 2015, the date trial was previously set to begin, this exclusion continues to be warranted for continuity of counsel for the reasons stated above.

IT IS SO ORDERED.

DATED: September 04, 2015

